

# **SCHEDULE**

# **A**

**SCHEDULE A**

**AUTHORITY FOR THE TAKING**

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved May 5, 2017, as Public Law 115-31, div. F, tit. VI, 131 Stat. 135, which appropriated the funds that shall be used for the taking.

# **SCHEDULE B**

**SCHEDULE B**

**PUBLIC PURPOSE**

The public purpose for which said properties are taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

# **SCHEDULE C**

**SCHEDULE C**

**LEGAL DESCRIPTION**

Hidalgo County, Texas

Tract: RGV-MCS-4038 and \_MCS-4038E-5

Owner: City of Hidalgo

Acres: 8.059

**Tract: RGV-MCS-4038:**

**BEING** a 7.844 acre tract (341,684 square feet) parcel of land, more or less, being out of a called 30.02 acre tract, recorded in Document No. 711948, Official Records of Hidalgo County (O.R.H.C.), Texas, conveyed to the City of Hidalgo, TX, said 7.273 acre (316,801 square feet) parcel of land being more particularly described as follows;

**COMMENCING** at a found U.S. Fish and Wildlife Service cap stamped "TR354 Cor 26" being the southeast corner of a surveyed 21.195 acre tract, recorded in Volume 975, Page 323, Deed Records of Hidalgo County (D.R.H.C.), Texas, conveyed to the City of McAllen, said point having a coordinate of N=16560488.367, E=1060700.822, said point being an angle point on the north line of said City of Hidalgo tract, and said point being on the south line of a levee easement (1110-H), recorded in Volume 1268, Page 68, Deed Records of Hidalgo County (D.R.H.C.), Texas, conveyed to the United States of America;

**THENCE:** S 80°36'08" W, along the south line of said City of McAllen tract, the north line of said City of Hidalgo tract, and the south line of said levee easement (1110-H), a distance of 299.89 feet to a found 1/2" rebar for an angle point;

**THENCE:** S 82°27'26" W, along the south line of said City of McAllen tract, the north line of said City of Hidalgo tract and the south line of said levee easement (1110-H), a distance of 390.01 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MCS-4038-1" for the **POINT OF BEGINNING** and having a coordinate of N=16560388.202, E=1060018.322, said point being on the south line of said City of McAllen tract and the said north line of the City of Hidalgo tract and the south line of levee easement (1110-H), said point being the northeast corner of the herein described proposed acquisition tract, said point being N 09°08'03" E, a distance of 111.25 feet from United States Corps of Engineers Control Point No. H132;

**SCHEDULE C (Cont.)**

**THENCE:** S 09°17'46" E, departing the south line of the said City of McAllen tract, the north line of said City of Hidalgo tract, the south line of said levee easement (1110-H), and along the toe of said levee, a distance of 104.60 feet to an angle point;

**THENCE:** S 08°29'37" E, along said toe of levee, a distance of 80.66 feet to an angle point;

**THENCE:** S 11°54'36" E, along said toe of levee, a distance of 83.89 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MCS- 4038-2" for a point of curvature;

**THENCE:** along a curve to the left having a radius of 106.38 feet, an arc length of 105.89 feet and a central angle of 57°02'11", with a chord bearing of S 62°42'07" E and a chord distance of 101.58 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MCS-4038-3" for a point of tangent;

**THENCE:** N 80°08'03" E, along said toe of levee, a distance of 223.03 feet to an angle point;

**THENCE:** N 77°55'12" E, along said toe of levee, a distance of 128.70 feet to an angle point;

**THENCE:** N 80°59'59" E, along said toe of levee, a distance of 200.68 feet to an angle point;

**THENCE:** N 79°38'26" E, along said toe of levee, a distance of 260.94 feet to an angle point;

**THENCE:** N 83°38'15" E, along said toe of levee, a distance of 111.84 feet to an angle point;

**THENCE:** N 80°32'10" E, along said toe of levee, a distance of 397.80 feet to an angle point;

**THENCE:** N 81°19'07" E, along said toe of levee, a distance of 358.94 feet to an angle point;

**SCHEDULE C (Cont.)**

**THENCE:** N 83°05'29" E, along said toe of levee, a distance of 81.89 feet to a point of curvature;

**THENCE:** along a curve to the right having a radius of 192.00 feet, an arc length of 107.10 feet and a central angle of 31°57'31", with a chord bearing of S 78°28'01" E and a chord distance of 105.71 feet to a point of tangent;

**THENCE:** S 66°42'09" E, along said toe of levee, a distance of 233.93 feet to an angle point;

**THENCE:** S 65°44'29" E, along said toe of levee, a distance of 71.85 feet to a point of curvature;

**THENCE:** along a curve to the left having a radius of 131.44 feet, an arc length of 106.44 feet and a central angle of 46°23'50", with a chord bearing of S 86°44'37" E and a chord distance of 103.56 feet to a point of tangent;

**THENCE:** N 59°08'35" E, along said toe of levee, passing at 120.01 feet the west line of a levee easement (1114-H), recorded in Volume 1293, Page 686, Deed Records of Hidalgo County (D.R.H.C.), Texas, conveyed to the United States of America, in total a distance of 167.65 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MCS-4038-4" for the northeast corner of the herein described proposed acquisition tract;

**THENCE:** N 86°30'09" E, along said toe of levee, a distance of 44.40 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MCS-4038-5" for an angle point;

**THENCE:** S 64°58'51" E, along said toe of levee, a distance of 59.88 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MCS- 4038-6" for the southeast corner of the herein described proposed acquisition tract, said point being on the south line of said City of Hidalgo tract and the north line of a called 471.14 acre tract, recorded in Document No. 107227, Official Records of Hidalgo County (O.R.H.C.), Texas, conveyed to the United States of America (US Fish and Wildlife Service, Tract 354);

**THENCE:** S 51°55'53" W, departing said toe of levee and along the south line of said City of Hidalgo tract and the north line of said Tract 354, passing at 53.48 feet the toe of wall and at 82.83 feet the west line of said levee easement (1114-H), in total a distance of 298.71 feet to a found 1/2" rebar designated "RGV-MCS-4038-7" for an outer corner of the herein described proposed acquisition tract;



**SCHEDULE C (Cont.)**

**THENCE:** N 68°26'05" W, along the south line of said City of Hidalgo tract and the north line of said Tract 354, passing at 20.35 feet the northwest corner of said Tract 354 and the northeast corner of a called 16.71 acre tract, recorded in Document No. 106881, Official Records of Hidalgo County (O.R.H.C.), Texas, conveyed to the United States of America (US Fish and Wildlife Service, Tract 354-II), passing at 436.27 feet the northwest corner of said Tract 354-II and the northeast corner of a called 48.57 acre tract, recorded in Document No. 107227, Official Records of Hidalgo County (O.R.H.C.), Texas, conveyed to the United States of America (US Fish and Wildlife Service, Tract 354-a), in total a distance of 501.57 feet to a found 1/2" rebar designated "RGV-MCS-4038-8" for an angle point;

**THENCE:** S 80°18'41" W, along the south line of said City of Hidalgo tract and the north line of said Tract 354-a, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MCS-4038-8A" for a point on tangent;

**THENCE:** S 80°18'41" W, along the south line of said City of Hidalgo tract and the north line of said Tract 354-a, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MCS-4038-8B" for a point on tangent;

**THENCE:** S 80°18'41" W, along the south line of said City of Hidalgo tract and the north line of said Tract 354-a, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MCS-4038-8C" for a point on tangent;

**THENCE:** S 80°18'41" W, along the south line of said City of Hidalgo tract and the north line of said Tract 354-a, a distance of 488.61 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MCS-4038-9" for the southwest corner of the herein described proposed acquisition tract;

**THENCE:** N 59°51'19" W, departing the south line of said City of Hidalgo tract and the north line of said Tract 354-a, a distance of 105.43 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MCS-4038-10" for an angle point;

**THENCE:** N 09°28'02" W, a distance of 100.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MCS-4038-10A" for an angle point;

**THENCE:** N 09°28'02" W, a distance of 271.16 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MCS-4038-11=RGV-O- 6B/C\_6-2" for the northwest corner of the herein described proposed acquisition tract, said point being on the north line of said City of Hidalgo tract, the south line of said City of McAllen tract, and the south line of said levee easement (1110-H);

**SCHEDULE C (Cont.)**

**THENCE:** N 82°27'26" E, along the north line of said City of Hidalgo tract, the south line of said City of McAllen tract and the south line of said levee easement (1110-H), passing at 150.07 feet the toe of wall, in total a distance of 209.57 feet to the **POINT OF BEGINNING** and containing 7.844 acres (341,684 square feet) of land, more or less.

**Note:** All bearings, distances and coordinates are referenced to the Texas State Plane coordinate system, south zone grid (SPC S4205) NAD'83. Values may be converted to ground values using a scale factor of 1.000040000.

**Tract RGV-MCS-4038E-5**

**BEING** a 0.215 acre tract (9389 square feet) parcel of land, more or less, being out of a called 30.02 acre tract, recorded in Document NO 711948, Official Records of Hidalgo County (O.R.H.C.), Texas, conveyed to the City of Hidalgo, TX, said 0.215 acre (9389 square feet) parcel of land being more particularly described as follows;

**BEGINNING** at the POB for the 2010 adjoining easement survey MCS-4013E-1 said point being on the north line of that certain levee easement conveyed to the United States of America, being of record in Volume 2107, Page 434 of the Deed Records of Hidalgo County, Texas, from said point a brass disc set in concrete stamped DEC015 bears South 02-15-15 East, a distance of 32.92 feet, having a Texas Coordinate System 1983, South Zone Grid Coordinates of Northing: 16560532.713, Easting: 1060866.182;

**THENCE:** following the north side of the existing levee road across lands owned by the County of Hidalgo TX a direction of N 81-07-47 E for a distance of 246.38 feet to a corner

**THENCE** S 07-15-49 E to the south east corner of this easement for a total distance of 39.08 feet

**THENCE** following the south side of said levee S 81-56-18 W for a distance of 223.34 feet to the South West corner of this easement.

**THENCE,** N 40-19-22 W a distance the existing road and returning to the point of Beginning

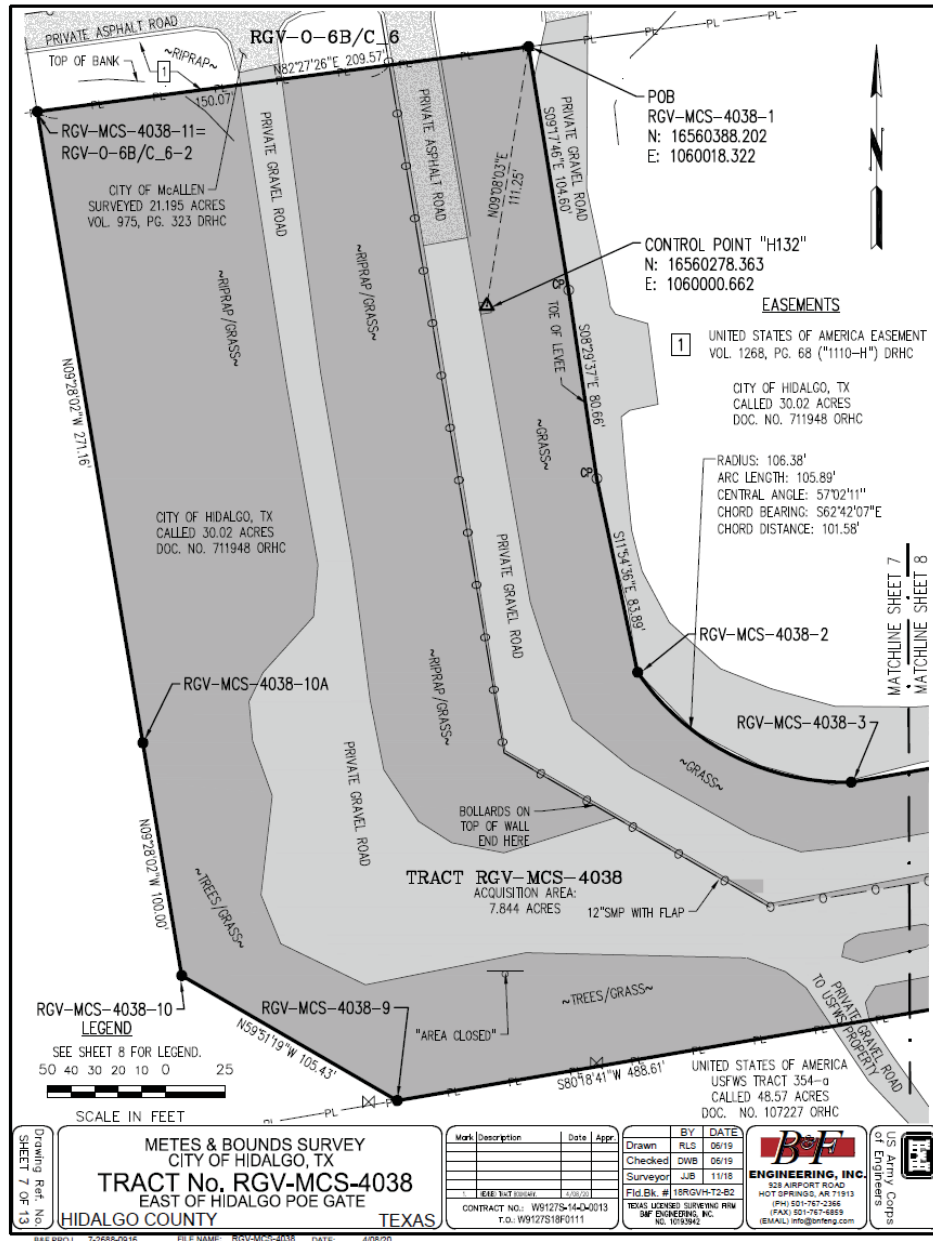
**CONTAINING** 0.215 acres (9,389 square feet), more or less.

**Note:** All bearings, distances and coordinates are referenced to the Texas State Plane coordinate system, south zone grid (SPC 4205) North American Datum of 1983 (NAD83)

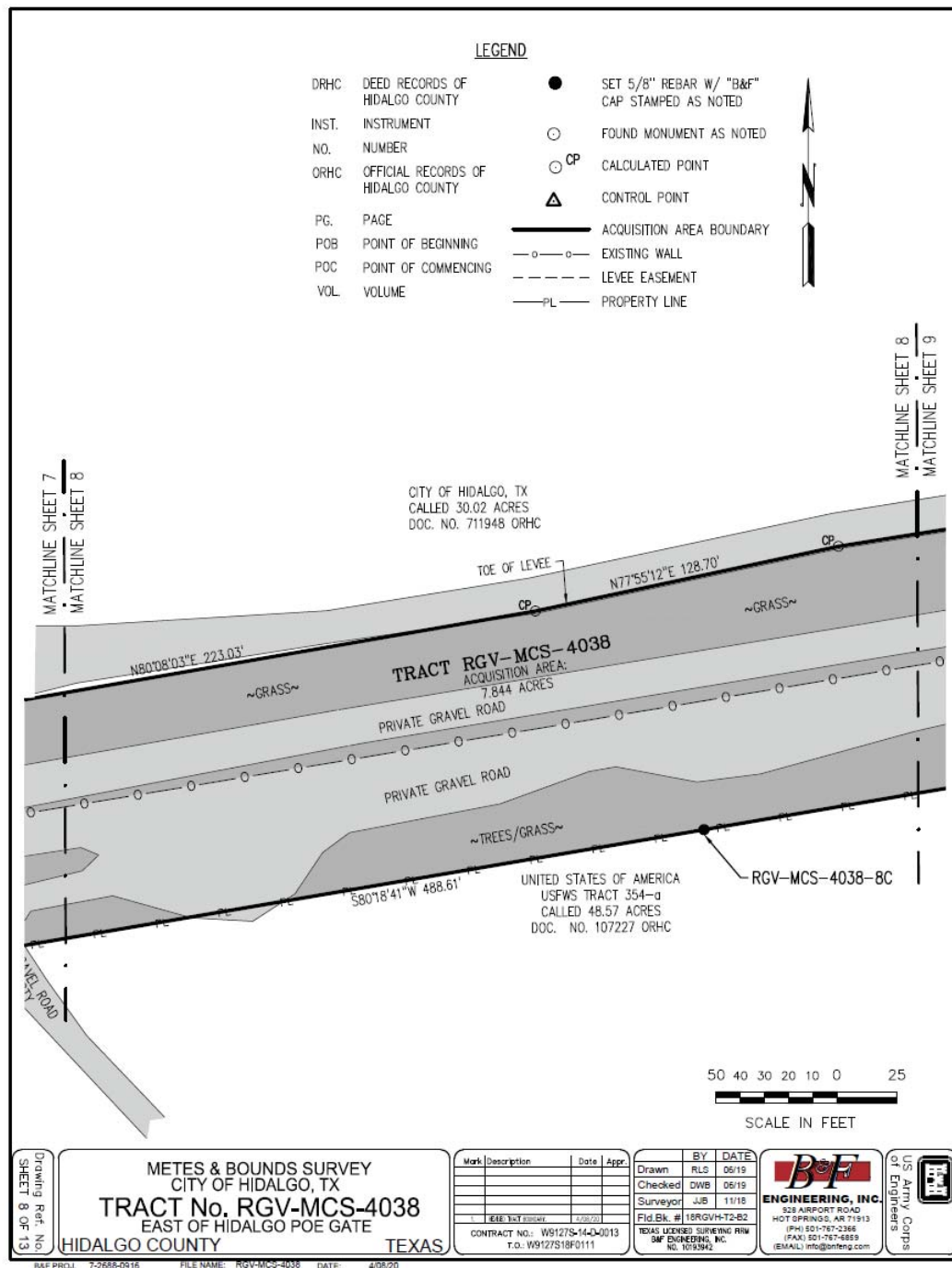
# **SCHEDULE D**

**SCHEDULE D****MAP or PLAT****LAND TO BE CONDEMNED**

Tract: RGV-MCS-4038\_MCS-4038E-5

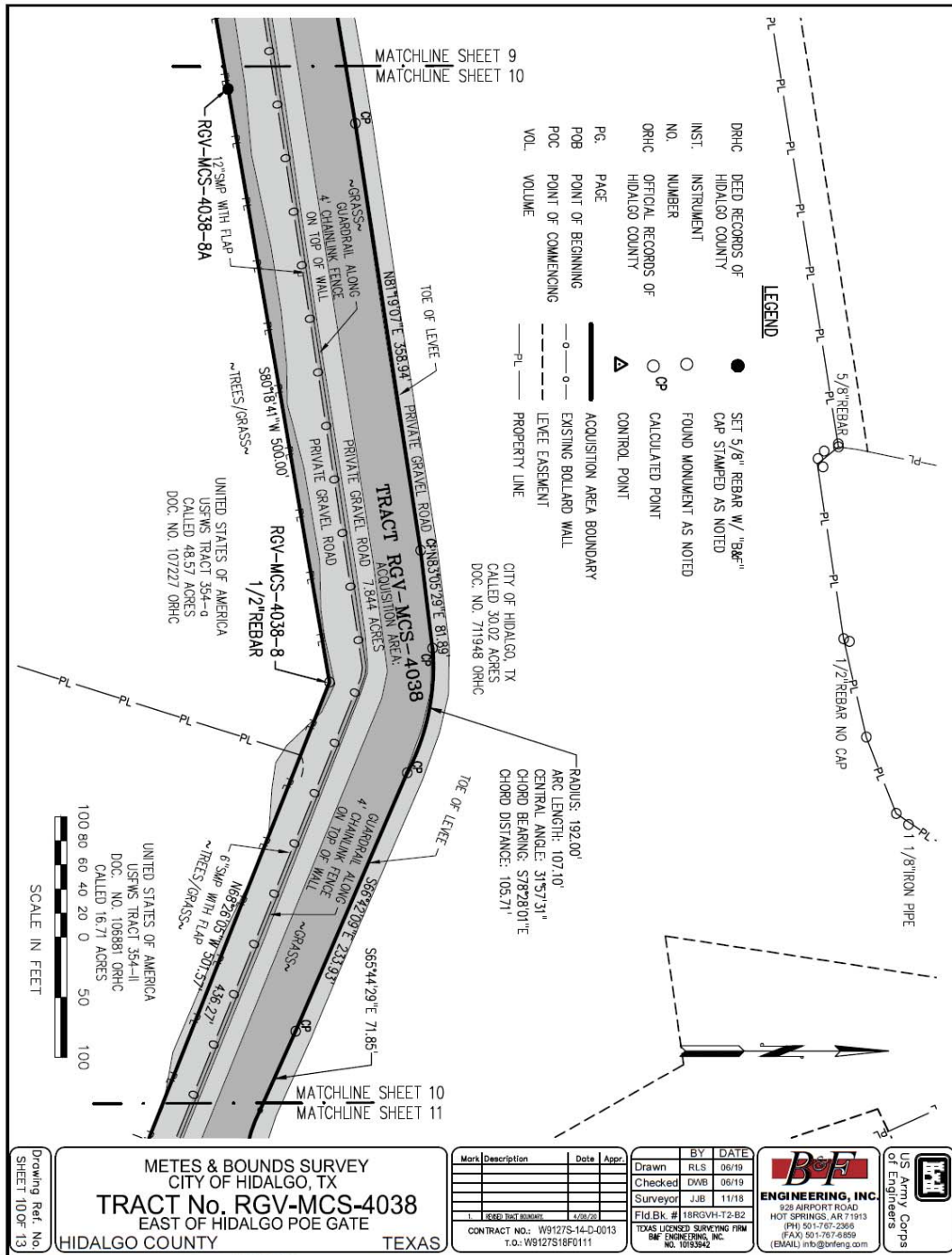


Owner: City of Hidalgo  
Acres: 8.059

**SCHEDULE D (Cont.)**

Tract: RGV-MCS-4038\_MCS-4038E-5  
 Owner: City of Hidalgo  
 Acres: 8.059



**SCHEDULE D (Cont.)**

Tract: RGV-MCS-4038\_MCS-4038E-5  
Owner: City of Hidalgo  
Acres: 8.059









**SCHEDULE D (Cont.)**

DESCRIPTION	NORTHING	EASTING
RGV-MCS-4038-1	16560388.202	1060018.322
RGV-MCS-4038-2	16560123.119	1060064.445
RGV-MCS-4038-3	16560076.534	1060154.709
RGV-MCS-4038-4	16560298.761	1062526.086
RGV-MCS-4038-5	16560301.469	1062570.402
RGV-MCS-4038-6	16560276.143	1062624.667
RGV-MCS-4038-8A	16560192.168	1061430.167
RGV-MCS-4038-8B	16560108.021	1060937.299
RGV-MCS-4038-8C	16560023.873	1060444.431
RGV-MCS-4038-9	16559934.217	1059919.298
RGV-MCS-4038-10	16559994.588	1059871.614
RGV-MCS-4038-10A	16560093.226	1059855.165
RGV-MCS-4038-11= RGV-C-6B/C_6-2	16560360.693	1059810.564

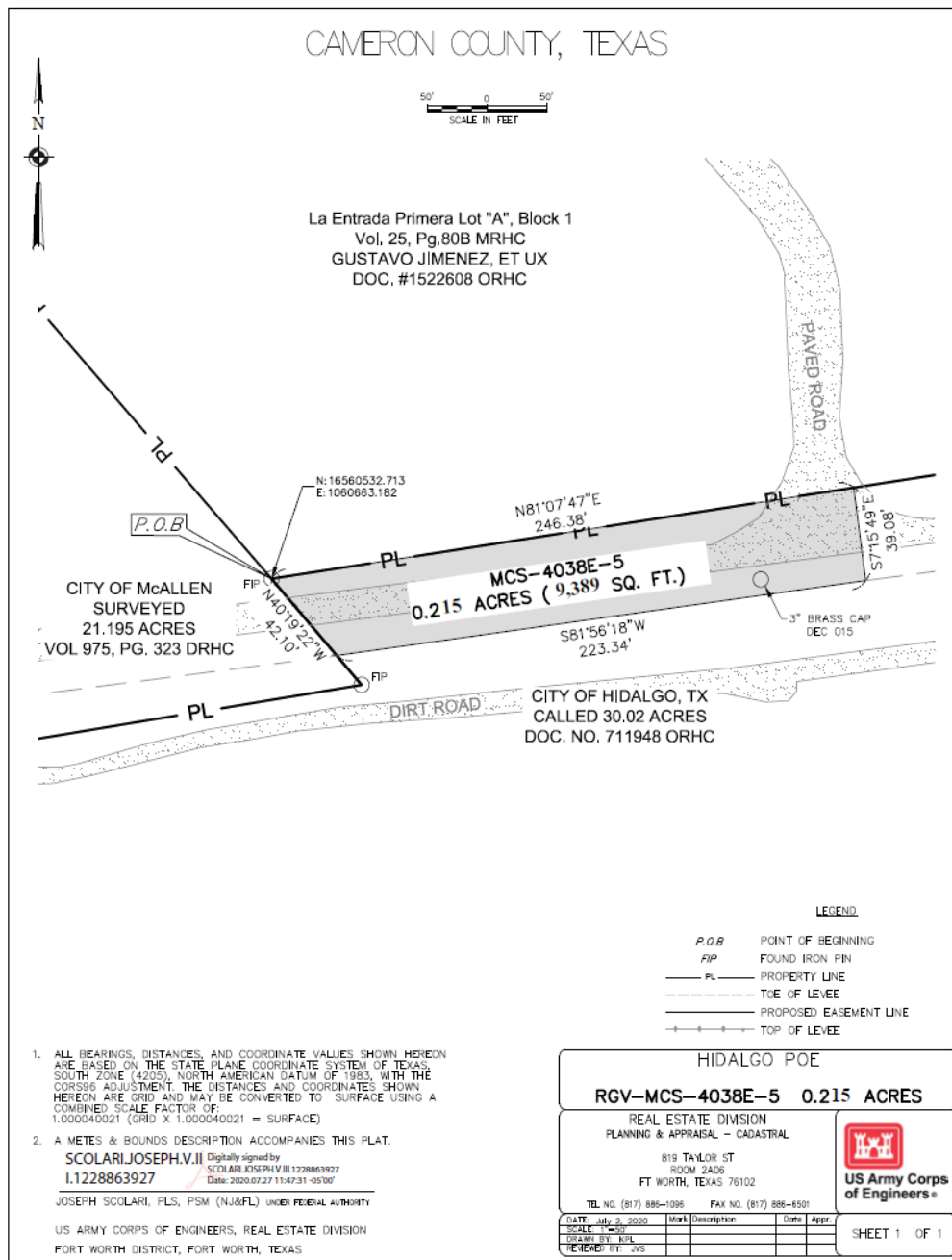
**GENERAL SURVEYOR'S NOTES:**

1. THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX SOUTH ZONE(4205), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING THE TXDOT COUNTY PUBLISHED COMBINED SCALE FACTOR OF 1.000040000 (E.G. GRID X 1.000040000 = SURFACE).
2. A SEPERATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THE SQUARE FOOTAGE TOTAL RECITED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND IS NOT BASED ON FIELD DIMENSIONS.
5. FIELD SURVEY WAS COMPLETED IN NOVEMBER, 2018.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
7. B&F ENGINEERING, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS THE PRIME CONSULTANT. THE CORP'S CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-1143.
8. LONE STAR 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON NOVEMBER 5, 2018 (TICKET NO. 1880960279).

Drawing Ref. No. SHEET 12 OF 13	METES & BOUNDS SURVEY CITY OF HIDALGO, TX <b>TRACT No. RGV-MCS-4038</b> EAST OF HIDALGO POE GATE HIDALGO COUNTY TEXAS		Mark Description Date Appr. _____ _____ _____ 1. SEE TEXT ENCLAVE 1/29/21	BY DATE Drawn RLS 06/19 Checked DWB 06/19 Surveyor JJB 11/18 Fid.Bk. # 18RGVH-T2-B2	 <b>ENGINEERING, INC.</b> 528 AIRPORT ROAD HOT SPRINGS, AR 71913 (PH) 501-767-2366 (FAX) 501-767-6869 (EMAIL) info@onteng.com	 US Army Corps of Engineers
	CONTRACT NO.: W9127S-14-J-0013 T.O. W9127S19F0111		TOTAL LICENSED SURVEYING FIRM B&F ENGINEERING, INC. NO. 10193942			
	B&F PROJ. 7-2658-0916 FILE NAME: RGV-MCS-4038 DATE: 4/05/20					

Tract: RGV-MCS-4038\_MCS-4038E-5  
 Owner: City of Hidalgo  
 Acres: 8.059



**SCHEDULE D****MAP or PLAT****LAND TO BE CONDEMNED**

Tract: RGV-MCS-4038\_MCS-4038E-5  
Owner: City of Hidalgo  
Acres: 8.059

# **SCHEDULE E**

**SCHEDULE E**

Estate Taken

Hidalgo County, Texas

Tract: RGV-MCS-4038\_4038E-5

Owner: City of Hidalgo, Texas

Acres: 8.059

**Tract RGV-MCS-4038**

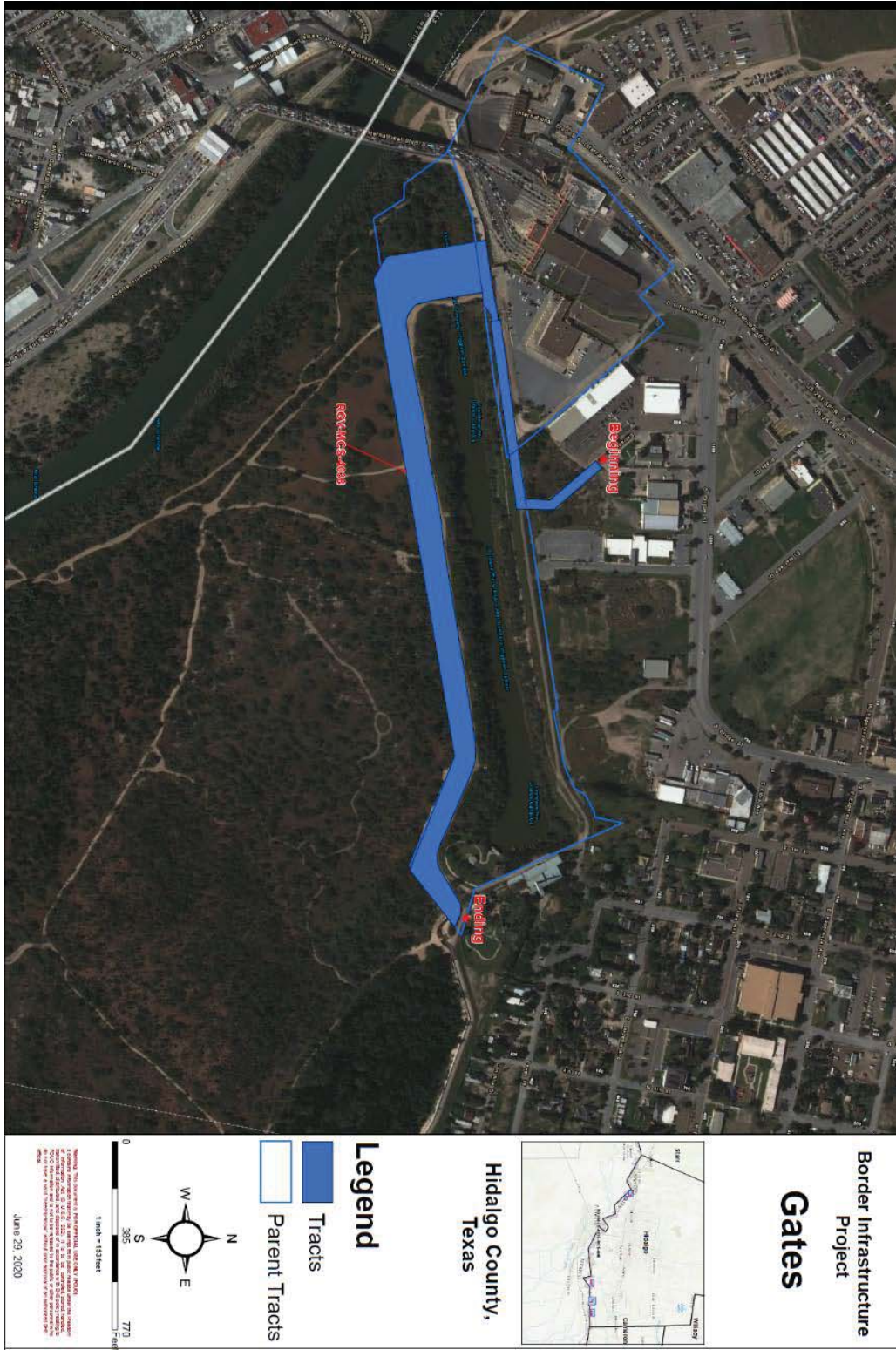
The estate acquired is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to the mineral interests of third parties; excepting and reserving to the Grantor all interests in minerals and appurtenant rights for the exploration, development, production and removal of said minerals;

Reserving to the owners of lands described in Document No. 711948, Official Records of Hidalgo County, Texas ("O.R.H.C."), reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation, and maintenance of the border barrier.



**SCHEDULE E (Cont.)**



**SCHEDULE E (Cont.)**

Estate Taken

Hidalgo County, Texas

Tract: RGV-MCS-4038\_4038E-5

Owner: City of Hidalgo, Texas

Acres: 8.059

**Tract: RGV-MCS-4038E-5**

A non-exclusive, perpetual and assignable easement and right-of-way in, on, over, under and across the land described in Schedule C, for use by the United States, its representatives, agents, and contractors, for the location, construction, operation, maintenance, alteration and replacement of a road and aboveground and/or underground utility lines and appurtenances thereto; together with the right to trim, cut, fell and remove any vegetative or structural obstacles that interfere with the right-of-way; subject to existing easements for public roads and highways, public utilities, railroads and pipelines, if any; reserving however, to the owners, their heirs and assigns, the right to use the surface of such land as access to their adjoining land or for any other use consistent with its use as a road and utility easement.

# **SCHEDULE**

# **F**



**SCHEDULE F**

**ESTIMATE OF JUST COMPENSATION**

The sum estimated as just compensation for the lands being taken is SIXTY FIVE THOUSAND, EIGHT HUNDRED AND FORTY DOLLARS AND NO/100 (\$65,840.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

**TRACT RGV-MCS-4038:**

The sum estimated as just compensation for the land acquired is SIXTY FOUR THOUSAND, FOUR HUNDRED AND NINETY DOLLARS AND 00/100 (\$64,490.00).

**TRACT RGV-MCS-4038E-5:**

The sum estimated as just compensation for the land acquired is ONE THOUSAND, THREE HUNDRED AND FIFTY DOLLARS AND 00/100 (\$1,350.00).

# **SCHEDULE G**

**SCHEDULE G****INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. See Fed. R. Civ. P. 71.1(c).

Interested Party	Reference
<b>City of Hidalgo</b> c/o City Manager, Julian Gonzalez 704 East Ramon Ayala Drive Hidalgo, TX 78557	<b>RGV-RGC-4038_4038E-5</b> Correction Special Warranty Deed, Document # 1998-711948; Recorded September 23, 1998, Deed Records of Hidalgo County  <b>RGV-RGC-4038_4038E-5</b> Special Warranty Deed, Document # 1993-339040; Recorded August 17, 1993, Deed Records of Hidalgo County